

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

KAYLA J. GILES

CIVIL ACTION NO. 1:19-cv-01173

VERSUS

CHIEF JUDGE DEE D. DRELL

**DELTA DEFENSE, L.L.C. and
UNITED SPECIALTY INSURANCE
COMPANY**

**MAGISTRATE JUDGE JOSEPH
H. L. PEREZ-MONTES**

DELTA DEFENSE, LLC’S STATEMENT OF UNCONTESTED FACTS

COMES NOW, Defendant, Delta Defense, LLC (“Delta”), by and through its counsel of record and pursuant to Rule 56 of the Federal Rules of Civil Procedure, and submits the following Statement of Uncontested Material Facts in support of its Motion for Summary Judgment, which is filed herewith.

1. Delta Defense, LLC is the named insured on behalf of United States Concealed Carry Association members on a policy of self-defense liability insurance issued by United Specialty Insurance Company (“USIC”). Ex. 1-A, CONFIDENTIAL, Policy, USIC 000006.
2. The Policy Number is USA4054455. Ex. 1-A, CONFIDENTIAL, Policy.
3. Plaintiff, Kayla Giles, enrolled in this policy on August 27, 2018. (Doc. No. 5, ¶ 6).
4. On September 8, 2018, Giles shot and killed her estranged husband, Thomas Coutee. (Doc. No. 5, ¶ 11).
5. Giles was charged with Second Degree Murder and was forced to hire a defense attorney. (Doc. No. 5, ¶17).
6. USIC tendered \$50,000.00 to Giles based upon the initial reporting of the incident. (Doc. 5, ¶14).
7. Giles filed suit seeking to recover the remaining \$100,000.00 of the legal defense reimbursement provided under the insurance policy. (Doc. 5).
8. Delta is not an insurance company. Ex. 1, CONFIDENTIAL, Affidavit.

9. Delta is the named insured on behalf of USCCA members. Ex. 1-A, CONFIDENTIAL, Policy, USIC 000006.
10. Plaintiff's Complaint makes no allegations of tortious acts by Delta. (Doc. 5).

Respectfully submitted,

KOEPEL CLARK

/s/W. Scarth Clark

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CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY that I have on this 24th day of April 2020, served the foregoing pleading on all counsel of record herein via CM/ECF filing through the United States District Court System, email, and/or United States Mail.

/s/ W. Scarth Clark

W. SCARTH CLARK